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I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on OCT. 27, 2001 (Date of Deposit)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 98,736)

In re Application of: )  
Roderick L. Hall, et al. ) Examiner: P. Tung  
Serial No.: 09/218,913 ) Group Art Unit: 1652  
Filed: December 22, 1998 )  
For: A METHOD FOR ACCELERATING )  
THE RATE OF MUCOCILIARY )  
CLEARANCE )

**RESPONSE AND REQUEST FOR STATUS**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Office action dated September 28, 2001. The Communication indicates that the application fails to comply with the requirements of 37 CFR 1.821 to 1.825 and that a substitute Sequence Listing and diskette is required. No marked up copy of a raw sequence listing or any other reason was advanced by the Examiner as to why the Applicant's previous response (including a Sequence Listing) filed on April 4, 2001 to the Office action dated March 7, 2001 was unacceptable. As the Examiner may note from the attached copy of the response, a second replacement Sequence Listing and Diskette was included. Applicants submit that this second replacement Sequence Listing and Diskette is the substitute Sequence Listing and Diskette required now by the Examiner.

Pursuant to the collective requirements of 37 C.F.R. 1.821 to 1.825, the Applicants submit that the information contained in the Sequence Listing is identical to the information contained in the electronic version of the sequence listing. No new matter has been introduced into the application as a result of the present submission.

The Applicant note that nearly three years have passed since the filing date of this application. To date, no substantive examination has been performed for this application. The Applicant requests that this Response be promptly considered and entered and that a first substantive Office action issue without further delay.

Respectfully submitted,

Date: 10/29/01

  
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